

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

STATE OF TEXAS, et al.,

Plaintiffs,

v.

XAVIER BECERRA, in his official
capacity as Secretary of Health & Human
Services, et al.,

Defendants.

No. 5:24-cv-225-C

NOTICE OF FILING CERTIFIED ADMINISTRATIVE RECORD INDEX

Defendants hereby file the certified list of the contents of the administrative record for the final rule at issue in this matter, *Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance*, 89 Fed. Reg. 40,066 (May 9, 2024), which was produced to Plaintiffs, along with the record itself, on December 15, 2024. Defendants have not filed the complete administrative record because its voluminous size would require it to be broken into approximately forty individual parts. However, if the Court deems it necessary, Defendants will promptly file the record itself or the parts relied upon by the parties in their respective dispositive motions.

Dated: December 15, 2024

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

EMILY B. NESTLER
Assistant Branch Director

/s/ John T. Lewis

JOHN T. LEWIS (TX Bar No. 24095074)

Trial Attorney

U.S. Department of Justice

Civil Division, Federal Programs Branch

1100 L Street NW

Washington, D.C. 20530

Tel: (202) 353-0533

Fax: (202) 616-8460

E-mail: john.t.lewis.iii@usdoj.gov

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on December 15, 2024, a copy of the foregoing was filed electronically via the Court's ECF system, which effects service upon counsel of record.

/s/ John T. Lewis
John T. Lewis